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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,391	02/06/2002	Carsten Deppe	PHIDE 010036	8774
65913	7550	03/06/2008	EXAMINER	
NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			ELAMIN, ABDELMONEM I	
			ART UNIT	PAPER NUMBER
			2116	
			NOTIFICATION DATE	DELIVERY MODE
			03/06/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary

Application No.

10/071,391

Applicant(s)

DEPPE ET AL.

Examiner

Abdelmoniem Elamin

Art Unit

2116

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/28/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 19-24 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 19, 21-24 and 26 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16, 19, 22-24, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Ochiai et al, US. Pat. No. 6,107,698.

3. Claims 1, Ochiai teaches a standby circuit for an electrical device [*see Fig. 1* having one or more signal inputs [*see Fig. 1*] and a control unit [*micro-computer 24 of Fig. 1*] and a control output [*se output 242 of the micro-controller 24 of Fig. 1*] for the control of a power supply unit [*main power supply circuit 2 of Fig. 1*], in which the control unit initiates an activation procedure on the occurrence of a predefined activation event at the signal input [*in response to the pressing of the power key of the remote controller 12*], in which a signal to switch on a power supply unit is generated at the control output [*first infrared signal*];

further comprising a programming interface for programming the control unit, wherein the programming determines how the control unit responds to inputs from the one or more signal inputs [*Ochiai's micro-computer comprises a CPU which inherently programmable*].

4. Claim 2, Ochiai teaches one of the signal inputs is a useful signal input for a useful signal of an electrical device [*see Fig. 1*].

5. Claim 3, Ochiai teaches one of the signal inputs is a switch input (3) for the connection of a button [*see Fig. 1*].

6. Claims 4-5, Ochiai teaches one of the signal inputs is a remote control input (5) for the signals from a wireless remote control [*see Fig. 1*].
7. Claim 6, Ochiai teaches one of the signal inputs is a digital data input, which can be connected to any digital interface, such as computer networks [*see Fig. 1*].
8. Claim 7, Ochiai teaches a store is provided [*capacitor 222 of Fig. 1*].
9. Claim 8, Ochiai teaches a clock is provided [*col. 7, line 1*].
10. Claim 9, Ochiai teaches the control unit performs a time switch function, in which an activation time is preset, and the activation procedure is initiated on reaching the activation time [*col. 15, lines 3+*].
11. Claim 10, Ochiai teaches one or more clock inputs are provided [*col. 7, line 1*].
12. Claims 11, Ochiai teaches one or more communication terminals are provided for sending and/or receiving data to/from the control unit and/or the store [*Fig. 1*].
13. Claim 12, Ochiai teaches the circuit (ZPS) is constructed as a single integrated component [*see Fig. 1*].
14. Claims 13-14, Ochiai teaches the control unit forwards the signals arriving at the remote control input via a communication terminal [*Fig. 1*].
15. Claims 15-16, Ochiai teaches an energy store [*capacitor 22 of Fig. 1*] configured to supply stored electrical energy to the standby circuit [*see capacitor 222 of Fig. 1 and related disclosure*].
16. Claim 19, Ochiai teaches is a rechargeable element, while the energy store is charged when the power supply unit is switched on [*see capacitor 222 of Fig. 13*].

17. Claims 22-24 and 26, Ochiai teaches bi-directional data exchange occurs between the standby circuit and the one or more functional units [*see photo-coupler 34 of Figs. 1-3 and related disclosure*].

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ochiai et al, US. Pat. No. 6,107,698 in view of Trzyna et al, US. Pat. No. 5,414,475.

20. Claim 21, Ochiai fails to teach a circuit for monitoring the remaining content of the energy store.

Trzyna teaches monitoring a microprocessor that monitors a capacitor voltage and turns on a switched mode power supply to recharge the capacitor when its voltage level falls to a predetermined minimum [see abstract].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Ochiai to include a circuit for monitoring the remaining content of the energy store, because it ensures the readiness of the stand-by power supply.

Allowable Subject Matter

21. Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

22. Applicant's arguments with respect to claims 1, 15, 22 and 26 have been considered but are moot in view of the new ground(s) of rejection.

23. Applicant's amendment (filed on 9/4/2007) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelmoniem Elamin whose telephone number is 571-2727-3674. The examiner can normally be reached on MON - THUR 10:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Prveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Abdelmoniem Elamin/
Primary Examiner, Art Unit 2116

February 25, 2008